

JOURNAL OF THE HOUSE.

Wednesday, November 14, 2007.

Met at eight minutes after eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

Resolutions (filed with the Clerk by Representatives Dempsey of Haverhill, Stanley of West Newbury and L'Italien of Andover) congratulating Calvary Baptist Church on its one hundred thirty-fifth anniversary, were referred, under Rule 85, to the committee on Rules.

Calvary
Baptist
Church.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mrs. Walrath of Stow, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill making an appropriation for the fiscal year 2008 to provide supplemental funding for a low income home energy assistance program (printed in House, No. 4332, amended) came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 2B (inserted by amendment by the House); striking out section 3 and inserting in place thereof the following section:

Supplemental
budget,
home heating
aid.

“SECTION 3. Notwithstanding any special or general law to the contrary, no final regulations shall be issued by the attorney general pursuant to chapter 93A of the General Laws relative to mortgage lending or relative to the procurement, processing or arrangement of loans by brokerage firms until the commissioner of banks has provided official notice of any proposed regulations to licensed mortgage lenders and mortgage brokers, and no such proposed regulations shall go into effect until 30 days after providing such official notice.”; and inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide supplemental funding for low-income home energy assistance and to further regulate mortgage lending practices, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

Under suspension of Rule 35, on motion of Mr. deMacedo of Plymouth, the amendments were considered forthwith.

Supplemental
budget,
home heating
aid.

The committee on Bills in the Third Reading reported recommending that the House concur with the Senate in its amendment striking out section 2B; and non-concur with the Senate in its amendments in section 3 and inserting an emergency preamble; and the report was accepted.

The House then concurred with the Senate in its amendment striking out section 2B; and non-concurred with the Senate in its amendments in section 3 and inserting an emergency preamble. Sent to the Senate for its action.

Executive
Council.

A Bill relative to members of the Executive Council (Senate, No. 2332) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Reports of Committees.

Highways
and
construction.

By Mr. Wagner of Chicopee, for the committee on Transportation, on House, Nos. 3456, 3496, 3500, 3517, 3520, 3544, 3588, 3684 and 3688, an Order relative to authorizing the committee on Transportation to make an investigation and study of certain House documents concerning the Office of Transportation and Public Works and the Massachusetts Highway Department. (House, No. 4369). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Salem State
College
Assistance
Corporation.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill relative to the Salem State College Assistance Corporation (Senate, No. 2242) be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting the question, being on ordering the bill to a third reading.

Pensioners,
service
after
retirement.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill relative to capping payment of pensioners for services after retirement (House, No. 2713, changed) be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading with the amendment previously recommended by the committee on Ways and Means pending.

Green
communities.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to green communities (House, No. 4365) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Relative to a certain motor vehicle number plate (printed as House, No. 221);

Dexter
Olsson.

Authorizing the town of Wakefield to issue pension obligation bonds or notes (Senate, No. 1650) [Local approval received];

Wakefield.

Authorizing the Middlesex Retirement Board to grant a certain pension to James Charles Mickel (Senate, No. 2208) [Local approval received];

James
Mickel.

Authorizing bilingual ballots in municipal elections in the city of Worcester (Senate, No. 2362) [Local approval received]; and

Worcester,
bilingual
ballots.

Establishing a sick leave bank for Peter Hebert, an employee of the Department of Mental Retardation (Senate, No. 2376); and

Peter Hebert,
sick leave
bank.

House bills

To eliminate the use of the word retardation from the general laws (House, No. 1899);

Retardation.

To create an exemption for low income seniors from Proposition two and one half overrides (House, No. 2840);

Seniors,
low income.

Establishing the Caleb Chase Trust Fund revenue account in the town of Dennis (House, No. 3153) [Local Approval Received];

Caleb Chase
Trust Fund.

Relative to the appointment of retired police officers in the city of Everett (House, No. 3982) [Local Approval Received];

Everett,
police.

Relative to the special police force in the town of West Springfield (House, No. 4080) [Local Approval Received];

West
Springfield.

Relative to administrative oversight of the hiring process in the town of West Boylston (House, No. 4099) [Local Approval Received];

West
Boylston.

To permit town resident Daniel Wesinger to take the civil service test for the position of firefighter in the town of Arlington (House, No. 4123) [Local Approval Received];

Daniel
Wesinger.

To permit town resident Brendan Gormley to take the civil service test for the position of firefighter in the town of Arlington (House, No. 4142) [Local Approval Received];

Brendan
Gormley.

Relative to technical corrections to the Massachusetts Business Corporation Act (House, No. 4301); and

Business
Corporation Act.

Making amendments to the Uniform Commercial Code covering general provisions, documents of title and secured transactions including technical amendments (House, No. 4302);

Uniform
Commercial
Code.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Engrossed Bills.

Engrossed Bills

Further regulating sewer connections in the town of Charlton (see Senate, No. 1152, amended);

Bills
re-enacted.

Bills
re-enacted.

Further regulating water supply connections in the town of Charlton (see Senate, No. 1153, amended); and

Authorizing the town of Rehoboth to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (see Senate, No. 2270, amended);

(Which severally originated in the Senate);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be re-enacted (in their amended form); and they were signed by the acting Speaker and sent to the Senate.

Recess.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty minutes after one o'clock the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Congamond
Lakes,
Southwick.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill allowing for the continued use of state-owned property for fishing, boating and tourism purposes on the Congamond Lakes in Southwick (Senate, No. 2248) [Local Approval Received] be scheduled for consideration by the House for a second reading, with the amendment previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2248, amended) was ordered to a third reading.

Waltham,
land.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill authorizing the sale of a certain parcel of land in the city of Waltham to said city (House, No. 4203) be scheduled for consideration by the House for a second reading, with the amendment previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4342) was ordered to a third reading.

Brookline,
reservoir.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the transfer of the former Fisher Hill Reservoir in the town of Brookline (House, No. 4205) be scheduled for consideration by the House for a second reading, with the amendment previously recommended by the committee on Ways and Means pending.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4343) was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill providing for the disposition of certain property at Medfield State Hospital (House, No. 4214) be scheduled for consideration by the House.

Medfield
State
Hospital,
land.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a neighborhood conservation district in the town of North Andover (House, No. 4279) be scheduled for consideration by the House.

North
Andover,
conservation
district.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to conservation restrictions on certain parcels of land under the control of the town of Edgartown (House, No. 4294) be scheduled for consideration by the House.

Edgartown,
Pennywise
Preserve.

Under suspension of Rule 7A, on motion of Mr. deMacedo of Plymouth, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bill.

The engrossed Bill making an appropriation for the fiscal year 2008 to provide supplemental funding for a low income home energy assistance program (see House bill printed in House, No. 4332, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At twenty-eight minutes after one o'clock P.M., on motion of Mr. deMacedo of Plymouth (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.